

Article - Estates and Trusts

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§13–906.

(a) (1) A determination of incapacity or debilitation under this subtitle shall:

(i) Be made by the attending physician to a reasonable degree of medical certainty;

(ii) Be in writing; and

(iii) Contain the attending physician's opinion regarding the cause and nature of the parent's incapacity or debilitation, and the extent and probable duration of the incapacity or debilitation.

(2) If a standby guardian's identity is known to an attending physician, the attending physician shall provide a copy of a determination of incapacity or debilitation to the standby guardian.

(b) If requested by a standby guardian, an attending physician shall make a determination regarding the parent's incapacity or debilitation for purposes of this subtitle.

(c) If the parent is able to comprehend the information, a standby guardian shall inform the parent of:

(1) The beginning of the standby guardian's authority as a result of a determination of incapacity; and

(2) The parent's right to revoke the authority promptly after receipt of the determination of incapacity.

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